

REGULAR MEETING OF THE CANTON CITY COUNCIL
6:00 P.M., TUESDAY, MARCH 17, 2015
City Hall Council Chambers
290 East Tyler Street, Canton, Texas 75103

MINUTES

The Canton City Council met at the above-named date and time in the City Hall Council Chambers. Members present were Mayor Richard Lawrence and Councilmembers Elisa Heard, Cary Hilliard, Cindy Malouf, Scott Perkins, and Shawn Stewart.

Also present were City Manager Lonny Cluck, City Secretary Debra Johnson, Finance Director Kimberly Kroha, Fire Chief Bud Sanford, Municipal Court Judge Lilia Durham, Operations Supervisor of First Monday Linda Boston, and CEDC Executive Director Julie Seymore. City Attorney Ron Stutes was also in attendance.

1. CALL TO ORDER - The meeting was called to order and a quorum was declared by Mayor Rick Lawrence at 6:01 p.m.
2. INVOCATION was given by Chief Bud Sanford.
3. PLEDGE OF ALLEGIANCE was led by Councilmember Malouf.
4. MAYOR'S WELCOME – Mayor Lawrence welcomed everyone to the meeting.
5. DECLARATIONS REGARDING CONFLICTS OF INTEREST - None.
6. PROCLAMATIONS AND ANNOUNCEMENTS
 - A. RECOGNIZE CITY EMPLOYEES VOTED AS BEST IN THEIR CATEGORY BY VAN ZANDT NEWS SUBSCRIBERS (2ND YEAR) -
 - CHIEF BUD SANFORD – BEST FIREFIGHTER IN VAN ZANDT COUNTY
 - SGT. STEVE HALL – BEST POLICE OFFICER IN VAN ZANDT COUNTY
 - RITA RAGSDALE – BEST CITY WORKER IN VAN ZANDT COUNTYThis matter was passed until the next regular meeting.
 - B. CITY-WIDE CLEANUP WEEK SCHEDULED FOR APRIL 13-16, 2015 – Mr. Cluck explained the cleanup was an opportunity for citizens to be made aware of the services offered by our sanitation service. They picked large items up on a regular basis.

CITIZENS FORUM

7. CITIZENS FORUM – CITIZENS ARE INVITED TO SPEAK FOR THREE (3) MINUTES ON MATTERS RELATING TO CITY GOVERNMENT THAT ARE NOT LISTED ON THE REGULAR AGENDA – Sam Elizalde requested assistance from the Canton Police Department for an escort into Canton on May 17 for a motorcycle ride to honor veterans. Mayor Lawrence requested Mr. Elizalde coordinate the event with Mr. Cluck.

CONSENT AGENDA

8. CONSIDER APPROVAL OF MINUTES OF THE FEBRUARY 13 AND 17, 2015 CITY COUNCIL MEETINGS
9. CONSIDER APPROVAL OF FEBRUARY 2015 FINANCIAL STATEMENTS

Councilmember Stewart made a motion to approve all items on the consent agenda. Councilmember Heard seconded.

Council Member - Cary Hilliard: Approve

Council Member - Elisa M. Heard: Approve
Mayor Pro Tem - Shawn Stewart: Approve
Council Member - Scott Perkins: Approve
Council Member - Cindy Malouf: Approve

INDIVIDUAL CONSIDERATION

10. CONSIDER ACCEPTANCE OF CITY SECRETARY'S CERTIFICATION OF UNOPPOSED CANDIDATES IN MAY 9, 2015 GENERAL ELECTION - Councilmember Malouf made a motion to accept the City Secretary's certification of unopposed candidates. Councilmember Perkins seconded.

Council Member - Cary Hilliard: Approve
Council Member - Elisa M. Heard: Approve
Mayor Pro Tem - Shawn Stewart: Approve
Council Member - Scott Perkins: Approve
Council Member - Cindy Malouf: Approve

11. CONSIDER ADOPTION OF ORDINANCE NO. 2015-03 CANCELLING MAY 9, 2015 GENERAL ELECTION AND DECLARING LOU ANN EVERETT ELECTED AS MAYOR AND CONNIE ODIC AND NATHAN MOORE ELECTED TO CANTON CITY COUNCIL FOR TWO-YEAR TERMS - Councilmember Perkins made a motion to adopt Ordinance No. 2015-03. Councilmember Stewart seconded.

Council Member - Cary Hilliard: Approve
Council Member - Elisa M. Heard: Approve
Mayor Pro Tem - Shawn Stewart: Approve
Council Member - Scott Perkins: Approve
Council Member - Cindy Malouf: Approve

12. FIRST READING OF RESOLUTION NO. 2015-10 APPROVING CANTON ECONOMIC DEVELOPMENT CORPORATION'S EXPENDITURE OF TYPE B SALES TAX REVENUE FOR DALLAS STREET SIDEWALK RENOVATION PROJECT - Mayor Lawrence gave the first reading of the resolution.

13. SECOND READING AND ADOPTION OF RESOLUTION NO. 2015-10 APPROVING CANTON ECONOMIC DEVELOPMENT CORPORATION'S EXPENDITURE OF TYPE B SALES TAX REVENUE FOR DALLAS STREET SIDEWALK RENOVATION PROJECT - Councilmember Malouf made a motion to adopt Resolution No. 2015-10 subject to clarification of the verbiage on the resolution. Councilmember Perkins seconded.

Council Member - Cary Hilliard: Approve
Council Member - Elisa M. Heard: Approve
Mayor Pro Tem - Shawn Stewart: Approve
Council Member - Scott Perkins: Approve
Council Member - Cindy Malouf: Approve

14. FIRST READING OF RESOLUTION NO. 2015-11 APPROVING CANTON ECONOMIC DEVELOPMENT CORPORATION'S EXPENDITURE OF TYPE B SALES TAX REVENUE FOR CANTON-HACKNEY AIRPORT RENOVATION PROJECT - Mayor Lawrence gave the first reading of the resolution.

15. SECOND READING AND CONSIDER ADOPTION OF RESOLUTION NO. 2015-11 APPROVING CANTON ECONOMIC DEVELOPMENT CORPORATION'S EXPENDITURE OF TYPE B SALES TAX REVENUE FOR CANTON-HACKNEY AIRPORT RENOVATION PROJECT - Councilmember Heard made a motion to adopt Resolution No. 2015-11. Councilmember Stewart seconded.

Council Member - Cary Hilliard: Approve
Council Member - Elisa M. Heard: Approve
Mayor Pro Tem - Shawn Stewart: Approve
Council Member - Scott Perkins: Approve
Council Member - Cindy Malouf: Approve

16. DISCUSS AND CONSIDER CANTON ECONOMIC DEVELOPMENT CORPORATION'S DOWNTOWN POCKET PARK DEVELOPMENT PROJECT AND ONGOING MAINTENANCE THEREOF – Councilmember Hilliard made a motion to approve the CEDC downtown pocket park project and ongoing maintenance by the City. Councilmember Perkins seconded.

Council Member - Cary Hilliard: Approve
Council Member - Elisa M. Heard: Approve
Mayor Pro Tem - Shawn Stewart: Approve
Council Member - Scott Perkins: Approve
Council Member - Cindy Malouf: Approve

17. CONSIDER SELECTION OF CITY OF CANTON'S CITIZEN OF THE YEAR AWARD TO BE PRESENTED AT THE CANTON TEXAS CHAMBER OF COMMERCE GALA – Councilmember Stewart made a motion to approve the selection committee's recommendation for Citizen of the Year. Councilmember Heard seconded.

Council Member - Cary Hilliard: Approve
Council Member - Elisa M. Heard: Approve
Mayor Pro Tem - Shawn Stewart: Approve
Council Member - Scott Perkins: Approve
Council Member - Cindy Malouf: Approve

18. CONSIDER APPOINTMENTS TO CANTON ECONOMIC DEVELOPMENT CORPORATION'S BOARD OF DIRECTORS – Councilmember Malouf made a motion to reappoint Robert Jaeckle, John McKeethan and Teri Pruitt and to appoint Carolyn Hargrove to the CEDC Board of Directors. Councilmember Perkins seconded.

Council Member - Cary Hilliard: Approve
Council Member - Elisa M. Heard: Approve
Mayor Pro Tem - Shawn Stewart: Approve
Council Member - Scott Perkins: Approve
Council Member - Cindy Malouf: Approve

19. DISCUSS AND CONSIDER ESTABLISHING POSITION FOR FULL-TIME CODE ENFORCEMENT OFFICER – Councilmember Stewart made a motion to establish a full-time code enforcement position under the Fire Department. Councilmember Perkins seconded.

Council Member - Cary Hilliard: Approve
Council Member - Elisa M. Heard: Approve
Mayor Pro Tem - Shawn Stewart: Approve
Council Member - Scott Perkins: Approve
Council Member - Cindy Malouf: Approve

20. CONSIDER ADOPTION OF RESOLUTION NO. 2015-01 AMENDING GUIDELINES FOR MAYOR/ COUNCIL INTERACTION WITH CITY STAFF – Councilmember Heard made a motion to adopt Option B of the proposed Resolution No. 2015-01. Councilmember Malouf seconded.

Council Member - Cary Hilliard: Approve
Council Member - Elisa M. Heard: Approve
Mayor Pro Tem - Shawn Stewart: Approve

Council Member - Scott Perkins: Approve
Council Member - Cindy Malouf: Approve

21. DISCUSS AND CONSIDER REQUEST TO TXDOT TO REPLACE LEFT TURN SIGNALS – Councilmember Hilliard made a motion that City Manager contact TxDOT requesting them to replace all signal lights with ones similar to that recently installed on Highway 19 at Interstate 20. Councilmember Malouf seconded.

Council Member - Cary Hilliard: Approve
Council Member - Elisa M. Heard: Approve
Mayor Pro Tem - Shawn Stewart: Approve
Council Member - Scott Perkins: Approve
Council Member - Cindy Malouf: Approve

22. DISCUSS AND CONSIDER CONSTRUCTION OF SIDEWALK ON HWY 243 FROM HIGH SCHOOL TO SHADY LANE – Mayor Lawrence instructed Mr. Cluck to meet with TxDOT and Canton ISD to determine whether or not they would be interested in cost-sharing on this project.
23. CONSIDER DESIGN, CONSTRUCTION AND FINANCING OF PROJECTS INCLUDING, BUT NOT LIMITED TO, STREETS AND UTILITIES, IMPROVEMENTS TO FIRST MONDAY GROUNDS, CONSTRUCTION OF NEW CELL TOWER, RELOCATION OF ANTENNAS FROM HISTORIC WATER TOWER, REPAINTING OF HISTORIC WATER TOWER, AND NEW CITY HALL – Mr. Cluck explained the plans were due to be completed this week and they would then be ready to go out for bids on the civil work. They would then prepare for the mechanical, electrical and plumbing bids. They had also started the archaeological survey for the location of the new cell tower. Councilmember Hilliard requested flag poles in front of the new city hall.
24. DISCUSS COUNCIL'S GOALS, OBJECTIVES AND SPECIAL PROJECT REQUESTS FOR INCLUSION IN THE FISCAL YEAR 2015-2016 PROPOSED BUDGET; APPROVE FISCAL YEAR 2015-2016 BUDGET CALENDAR – Debra Johnson requested Council consider any amendments they would like to make for the goals, objectives and special projects for the upcoming budget.
25. CITY MANAGEMENT REPORTS
- A. NEW WATER TOWER - Mr. Cluck said the water tower had been repaired and was back in service. It would take a week of dry weather to determine if there were still any leaks.
 - B. FIRST MONDAY – Linda Boston reported there had been three months of bad weather. Reservations looked good for the April market.
 - C. SIDEWALK PROJECT
 - D. AIRPORT
 - E. CHAMBER BANQUET
 - F. WARRANT ROUNDUP – Judge Durham said they had had the best warrant roundup to date. Total number of warrants cleared from February 21 to March 13 was 91. Total number of warrants cleared during the actual roundup was 47. Fines and costs paid equaled \$25,000 out of \$31,000 owed. Jail time equaled \$3,879.20. She hoped to have a warrant roundup each quarter. Judge Durham thanked the Police Department and the Van Zandt News for their support.
 - G. OTHER ITEMS - Mr. Cluck reported the asbestos study was completed on city hall.

EXECUTIVE SESSION

A closed or executive session will follow pursuant to the provision of the Open Meetings Law, Chapter 551, Govt. Code, Vernon's Texas Codes Annotated, in accordance with the authority contained in Section 551.071.

26. EXECUTIVE SESSION FOR CONSULTATION WITH ATTORNEY (Section 551.071) – Mayor Lawrence convened Council into executive session at 7:33 p.m.

27. CONSIDERATION OF AUTHORIZING CITY ATTORNEY TO FILE AMICUS BRIEF WITH SUPREME COURT OF TEXAS ON BEHALF OF CITY OF CANTON IN PENDING CASE OF *TOWN OF LAKEWOOD VILLAGE V. BIZOS*, CASE NO. 15-0106 (Section 551.071)

RETURN TO OPEN SESSION

28. RECONVENE TO OPEN SESSION AND CONSIDER ACTION, IF ANY, ON ITEMS DISCUSSED IN EXECUTIVE SESSION – Council reconvened into open session at 7:48 p.m.
29. APPROVAL OF CONTRACT WITH RFM CONSULTANTS, LLC FOR MOBILITY STUDY ON FIRST MONDAY GROUNDS - Councilmember Hilliard made a motion to approve the contract with RFM Consultants. Councilmember Stewart seconded.

Council Member - Cary Hilliard: Approve
Council Member - Elisa M. Heard: Approve
Mayor Pro Tem - Shawn Stewart: Approve
Council Member - Scott Perkins: Approve
Council Member - Cindy Malouf: Approve

30. CONSIDERATION OF AUTHORIZING CITY ATTORNEY TO FILE AMICUS BRIEF WITH SUPREME COURT OF TEXAS ON BEHALF OF CITY OF CANTON IN PENDING CASE OF *TOWN OF LAKEWOOD VILLAGE V. BIZOS*, CASE NO. 15-0106 – Councilmember Malouf made a motion to authorize the city attorney to file an amicus brief on behalf of the City. Councilmember Stewart seconded.

Council Member - Cary Hilliard: Approve
Council Member - Elisa M. Heard: Approve
Mayor Pro Tem - Shawn Stewart: Approve
Council Member - Scott Perkins: Approve
Council Member - Cindy Malouf: Approve

31. ITEMS FOR FUTURE AGENDAS - None
32. ADJOURN – There being no further business to discuss, the meeting was adjourned at 7:50 p.m.